

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

DAVID LENIHAN and JAN LENIHAN,
Plaintiffs,

v.

COMPUTER ASSOCIATES
INTERNATIONAL, INC.,
Defendant.

C.A. No. 04-11701-DPW

**STIPULATION CONCERNING TIME TO ANSWER
OR OTHERWISE RESPOND TO THE COMPLAINT**

Plaintiffs David and Jan Lenihan and defendant Computer Associates International, Inc. ("Computer Associates") hereby stipulate that the parties have agreed that the time in which Computer Associates must answer or otherwise respond to the complaint has been extended to August 30, 2004. By way of background, the parties state as follows:

1. On June 21, 2004, David and Jan Lenihan filed a complaint in the Commonwealth of Massachusetts Superior Court, Middlesex County. On July 9, 2004, Computer Associates was served with the complaint.
2. On July 16, 2004, counsel for the parties agreed that the time in which Computer Associates had to answer or otherwise respond was extended 30 days to August 30, 2004.
3. On August 2, 2004, Computer Associates removed this action to the United States District Court for the District of Massachusetts.
4. Ordinarily, given the removal of this action, Computer Associates would have been required to answer or otherwise respond within five days of the removal. *See* Fed. R. Civ. P. 81(c).

5. Notwithstanding the removal of this action, the parties agree Computer Associates shall have until August 30, 2004 to answer or otherwise respond to the complaint.

Respectfully submitted,

DAVID LENIHAN
JAN LENIHAN

By their attorneys,

AVERY, DOOLEY, POST & AVERY, LLP


Peter H. Noone (BBO # 631341)

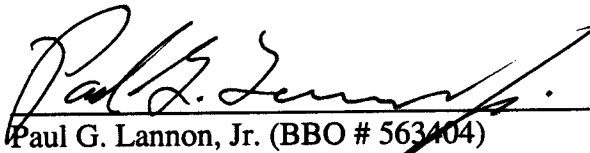
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Respectfully submitted,

COMPUTER ASSOCIATES
INTERNATIONAL, INC.

By its attorneys,

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Dated: August 3, 2004

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